

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

ANTHONY GAY,

Plaintiff,

v.

**KRISTIN KWASNIEWSKI
HAMMERSLY,**

Defendant.

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Civil No. **08-059-DRH**

ORDER

PROUD, Magistrate Judge:

Before the court is plaintiff's Motion to Stay Defendant's Motion for Summary Judgment. (**Doc. 38**).

In the only claim now pending, plaintiff alleges that defendant was deliberately indifferent to his serious medical needs in February, 2007, in that she released him from suicide watch and refused to reinstate him on suicide watch. See, Doc. 28.

Defendant filed a motion for summary judgment on September 5, 2008, which is supported by various exhibits, including medical records. See, Doc. 36. In the motion now before the court, plaintiff states that he needs access to his medical and mental health records in order to prepare his response. However, his requests for copies of his records have been refused by IDOC personnel because of security issues.

Exhibits attached to Doc. 39 indicate that plaintiff has requested various records, and some of the records have been given to him. However, his request for copies of his records for the period of April 16, 2008, through May 20, 2008, was denied because "He has been requesting records then harassing staff members who made entries in his medical chart that

dissatisfy him.” See, Doc. 39, Ex 1, p. 25.

The events giving rise to this lawsuit occurred in January and February, 2007. The records relating to the relevant time period are attached to the motion for summary judgment. Records from 2008 would have no relevance to whether defendant was deliberately indifferent to plaintiff’s medical needs in early 2007.

Upon consideration and for good cause shown, plaintiff’s Motion to Stay Defendant’s Motion for Summary Judgment (**Doc. 38**) is **DENIED**.

Plaintiff is granted additional time, up to **October 24, 2008**, in which to respond to defendant’s motion for summary judgment.

IT IS SO ORDERED.

DATE: September 26, 2008.

s/Clifford J. Proud
CLIFFORD J. PROUD
UNITED STATES MAGISTRATE JUDGE